

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 2:19-CR-03

v.

HON. ROBERT J. JONKER

JUSTIN HENRY HARTZOG,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION IN PART

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law. Based on this, and on the Court's review of all matters of record, including the transcript of the plea proceedings, **IT IS ORDERED** that:

1. The Report and Recommendation of the Magistrate Judge (ECF No. 50) is approved and adopted as the opinion of the Court, except with respect to continuation of bond pending sentencing. The Court would normally treat a conviction like this as a mandatory remand offense under 18 U.S.C. § 3143(a)(2). Either party may file a supplemental brief not later than **Monday, July 8, 2019**, explaining why an exception applies under that section; or why "exceptional reasons" exist under 18 U.S.C. § 3145(c); or why there is any other basis to avoid application of mandatory remand in this case.

2. Defendant's plea of guilty is accepted and defendant is adjudicated guilty of the charge set forth in Count 1 of the Indictment.
3. The written plea agreement is hereby continued under advisement pending sentencing.

Date: June 25, 2019

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE